

## Message Text

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11

ACTION NRC-07

INFO OCT-01 ARA-10 EUR-12 EA-09 IO-13 ISO-00 OES-06 L-03

ERDA-07 FEA-01 ACDA-10 CIAE-00 INR-07 NSAE-00 NSC-05

EB-07 DODE-00 /098 W

----- 114703

P R 210840Z SEP 76

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 2387

INFO USERDA WASHDC PRIORITY

USERDA GERMANTOWN PRIORITY

AMEMBASSY BRUSSELS

AMEMBASSY BRASILIA

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY MEXICO

AMEMBASSY THE HAGUE

AMEMBASSY MADRID

AMEMBASSY STOCKHOLM

AMEMBASSY LONDON

AMEMBASSY BONN

USMISSION IAEA VIENNA

USMISSION OECD PARIS

UNCLAS TOKYO 14066

PASS TO NRC - MR. EILPERIN

E.O. 11652: N/A

TAGS: ENRG, JA

SUBJECT: LIMITATION ON LIABILITY FOR NUCLEAR ACCIDENTS - JAPAN

REF: STATE 227205

1. FOLLOWING INFORMATION OBTAINED FROM ATOMIC ENERGY  
BUREAU OF SCIENCE AND TECHNOLOGY AGENCY WHICH SUPERVISES  
IMPLEMENTATION OF NUCLEAR DAMAGE INDEMNITY SYSTEM:  
UNCLASSIFIED

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A. NO LIMITATION TO LIABILITY OF NUCLEAR POWER PLANT  
OPERATORS FOR NUCLEAR ACCIDENTS IN TERMS OF AMOUNT.  
OPERATORS EXEMPTED FROM LIABILITY IF DAMAGE IS CAUSED BY  
EXTRAORDINARILY GREAT NATURAL DISASTER OR BY SERIOUS

SOCIAL DISTURBANCE. LIABILITY DOES NOT INCLUDE INDEMNITY FOR INJURY TO PLANT EMPLOYEES OR FOR DAMAGE TO THEIR PERSONAL PROPERTY SUFFERED IN COURSE OF EXECUTION OF DUTIES. SUCH WORKERS ARE COVERED BY OTHER COMPENSATION LAWS.

B. NUCLEAR PLANT OPERATOR MUST PROVIDE FINANCIAL SECURITY IN FORM OF LIABILITY INSURANCE OR SUFFICIENT DEPOSIT TO PAY SIX BILLION YEN (287.50 YEN PER DOLLAR FLOATING) IN CLAIMS PER SITE, PRESUMABLY REGARDLESS OF NUMBER OF REACTORS PER SITE. JAPANESE LAW IS VAGUE ON THIS POINT. SMALLER AMOUNTS ARE PROVIDED STEPWISE ON REACTORS RATED AT LESS THAN 10 MW THERMAL.

C. NUCLEAR DAMAGE INDEMNITY LAW PROVIDES THAT GOVERNMENT SHOULD EXTEND AID, IF DEEMED NECESSARY, TO NUCLEAR PLANT OPERATOR FOR INDEMNITY IN CASE INDEMNITY TO BE PAID BY THE OPERATOR EXCEEDS THE AMOUNT OF FINANCIAL SECURITY MENTIONED IN ITEM B. AMOUNT OF SUCH AID IS SUBJECT TO DIET APPROVAL IN EACH INDIVIDUAL CASE, THERE IS NO CEILING ON AMOUNT THAT COULD BE APPROVED BY DIET.

EMBASSY AIRMAILING FULL JAPANESE TEXT OF NUCLEAR DAMAGE INDEMNITY LAW TOGETHER WITH NON-OFFICIAL ENGLISH TRANSLATION INFORMALLY PROVIDED BY JAEC; COPIES ALSO BEING SENT BY AIR POUCH AND POSSIBLY BY HAND-CARRY SO AS TO INSURE REACHING WASH. BY 9/27.

HODGSON

UNCLASSIFIED

<< END OF DOCUMENT >>

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 16 SEP 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 21 SEP 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Executive Order:** N/A  
**Errors:** n/a  
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**Page Count:** 2  
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**Review Authority:** greeneet  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 26 MAR 2004  
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EO Systematic Review  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LIMITATION ON LIABILITY FOR NUCLEAR ACCIDENTS - JAPAN  
**TAGS:** OEXC, JA, (OKUMA, MASAYO)  
**To:** STATE  
INFO USERDA  
MULTIPLE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006